1	The	Honorable James P. Donohue		
2	LODGEDRECEIVED			
3 4	MAR 26 2010			
5	AT SEATTLE CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON BY DEPUTY			
6				
7				
8	WESTERN DISTRICT OF W	ASHINGTON		
10	UNITED STATES OF AMERICA,)	CASE NO. M 7/0 - 127		
11		COMPLAINT for VIOLATION of		
12		Title 18, United States Code, Section 1341 (Mail Fraud)		
13)			
14)			
15 16	BEFORE, JAMES P. DONOHUE, United States Ma	ngistrate Judge, e, Washington		
17	The undersigned complainant, Jeremy Leder, being of	duly sworn states:		
18	COUNT 1			
19	(Mail Fraud)	•		
20	A. The Scheme and Artifice to Defraud			
21	1. From in or about 2005, through the dat	te of this Complaint, within the		
22	Western District of Washington, and elsewhere, BARRIE TURNER, together with others			
23	known and unknown, did knowingly devise and inte	nd to devise a scheme and artifice to		
2425	defraud dating service customers and to obtain mone	ey and property by means of false and		
26	fraudulent pretenses, representations, and promises.			
27	2. The essence of the scheme and artifice	to defraud was for BARRIE		
28	TURNER to obtain money and property from fees p	aid to him by dating service		
	•			

4 5

6 7

	ı	N	C	
	۹	L	,	

10

11

- 12
- 13
- 14
- 15
- 16
- 17
- 18 19
- 20
- 21
- 22
- 23 24
- 25
- 26
- 27
- 28

subscribers by falsely representing to them that his dating service would match them with other real individuals.

B. Manner and Means of the Scheme

- It was part of the scheme and artifice to defraud that BARRIE TURNER, together with others known and unknown, operated dating websites which advertised dating and matchmaking services. Each website was designed to attract a different clientele based on geographic, ethnic, and social backgrounds.
- 4. It was further part of the scheme and artifice to defraud that BARRIE TURNER, together with others known and unknown, charged customers a fee to enroll in the dating and matchmaking services with the representation that the fee would pay for two to seven introductions or "matches" per month.
- It was further part of the scheme and artifice to defraud that BARRIE TURNER, together with others known and unknown, created fake profiles for individuals and sent these profiles to the dating service customers as potential "matches."
- 6. It was further part of the scheme and artifice to defraud that BARRIE TURNER, together with others known and unknown, created and sent emails from supposed "matches" to dating service customers explaining that the match was no longer available for dating.
- 7. It was further part of the scheme and artifice to defraud that BARRIE TURNER, together with others known and unknown, through the websites, directed potential customers to pay for the dating and matchmaking services by, among other ways, mailing a check or money order. A mailing address was listed on each of the websites.
- 8. It was further part of the scheme and artifice to defraud that BARRIE TURNER, together with others known and unknown, set up mailing box services for these websites all over the country at commercial mail receiving agencies, such as a UPS Store or a Mail Boxes Etc., or other privately-owned mail services. Customers' checks for enrollment in the dating services were sent to these mail receiving agencies.

- 9. It was further part of the scheme and artifice to defraud that BARRIE TURNER, together with others known and unknown, directed that the mail from each of these mail receiving agencies be sent to BARRIE TURNER at a post office box in Point Roberts, Washington.
- 10. It was further part of the scheme and artifice to defraud that BARRIE TURNER deposited the dating service customers' checks into a Banner Bank bank account in his name and controlled by him.

C. Execution of the Scheme and Artifice to Defraud

11. On or about the below-listed date, within the Western District of Washington, for the purpose of executing this scheme and artifice to defraud dating service customers and for obtaining money and property of dating service customers by means of false and fraudulent pretenses, representations, and promises, and concealment of material facts, and attempting to do so, BARRIE TURNER, knowingly caused to be sent and delivered by the United States Postal Service and private or commercial interstate carrier, and did knowingly and willfully take and receive therefrom, according to the direction thereon, the following mail matter:

Count	Date	Sender	Addressee	Item Mailed
1	January 9, 2009	T.M.	Executive Gay Dating 3818 Cedar Springs Rd. 101-104 Dallas, TX 75219 forwarded to: P.O. Box 1014 Point Roberts, WA	Check number 6063

All in violation of Title 18, United States Code, Section 1341.

And the complainant states that this Complaint is based on the following information:

I.

BACKGROUND

- Inspection Service (USPIS), assigned to the Seattle Division Headquarters office in Seattle, Washington, and have been employed as such for three years. I am authorized to conduct investigations on behalf of the United States Postal Inspection Service. I have previously conducted investigations involving federal violations of Title 18, United States Code, Section 1341 (Mail Fraud) and Title 18, United States Code, Section 1343 (Wire Fraud). Prior to my position as a Postal Inspector, I was employed by the United States Postal Inspection Service as an Investigative Analyst for two years in Chicago, Illinois. In that position, I worked cases involving violation of federal statutes involving mail fraud, wire fraud, mail theft, and identity theft.
- 13. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other Inspectors, Analysts, and witnesses. This affidavit is intended to show merely that there is sufficient probably cause for the requested warrant and does not set forth all of my knowledge about this matter.

THE INVESTIGATION

II.

14. On or about April 27, 2009, I received a case referral from Detroit Division Postal Inspector Nick Oleson, regarding fraud complaints against a web-based dating service known as Executive Catholic Dating. Inspector Oleson began investigating Executive Catholic Dating after numerous consumer complaints were filed indicating Executive Catholic Dating was not providing the services they advertised. Inspectors learned through consumer complaints filed with the Federal Trade Commission that Executive Catholic Dating listed an address of 5065 State Street #202, in Saginaw, Michigan 48603. Inspectors learned this address is occupied by a UPS Store, which

- 15. Through my investigation, as detailed more fully below, I have learned that Executive Catholic Dating is just one of approximately 76 other websites that are operated by Executive Dating LLC and are all be connected to BARRIE TURNER.
- 16. Executive Dating, LLC is a registered business out of the State of Oregon. According to the Oregon Secretary of State website, Executive Dating, LLC. (Registry number 119270-92), was registered as a business on December 18, 2002, and lists BARRIE TURNER as the registered agent. The principal place of business is listed as 3439 NE Sandy Blvd. #359, Portland, Oregon 97232. I discovered this address belongs to a UPS Store, and box number 359 is registered to TURNER and Executive Gay Dating. The Manager of the UPS Store located at 3439 NE Sandy Blvd., Portland, Oregon 97232, provided me with the Postal Form 1583 and other documentation for box 359. These forms indicate that TURNER arranged with the UPS Store to have all mail for box 359 forwarded to P.O. Box 1014, Point Roberts, Washington.
- 17. Executive Dating, LLC. operates approximately 77 different dating websites, which advertise professional and upscale dating and matchmaking services. Each website operated by Executive Dating is designed to attract a different clientele

15

16

17

18

19

20

21

22

23

24

25

26

27

28

based on geographic, ethnic, and social backgrounds. For example, the following 2 websites are operated by Executive Dating, LLC.: 3 www.executiveutahdating.com www.executivelasvegasdating.com 4 www.executivelesbiandating.com www.executivesingleparentdating.com 5 www.executivehoustondating.com www.executivebaltimoredating.com 6 www.executivejewishdating.com www.executivemilitarydating.com 7 www.executivebisexualdating.com www.executivedivorceddating.com 8 www.executivegaydating.com www.executiveukdating.com 9 www.executivemichigandating.com www.executiveseniordating.com 10 www.executiveonlinedating.com www.executivesinglesdating.com 11 www.executiveworldwidedating.com www.executiveinternetdating.com 12 www.executivecatholicdating.com www.executivechicagodating.com www.executiveclevelanddating.com 13 www.executiveafricanamericandating.com 14 www.executivetennesseedating.com www.executiveoregondating.com 15 www.executiveportlanddating.com www.executivemexicandating.com 16 www.executivemontanadating.com www.executiverussiandating.com 17 www.executiveseattledating.com www.executiveeasterneuropeandating.com 18 www.executivefrenchdating.com www.executivegermandating.com 19 www.executivejapanesedating.com www.executivekoreandating.com 20 www.executiveasiandating.com www.executivechinesedating.com 21 22 For purposes of this affidavit, all Executive Dating LLC websites and services will be 23 referred to collectively as "Executive Dating." 18. 24 Executive Dating, through its various websites, advertised itself as a dating and matchmaking service. According to text taken from the Executive Dating website: 25 26 Our goal at Executive Dating is to introduce you to people whom you normally wouldn't meet through your day-to-day activities. Our extensive 27 matchmaking experience and sound techniques, allow us to introduce you only with people whom we feel you will have a strong potential for a 28 relationship to develop.

1	The website further provides that clients of Executive Dating "can sign up for our
2	Standard (6-month), Premium (1 year), or Executive (2 year) service." According to the
3	Executive Dating website, once clients pay the membership fee, they "receive
4	introductions in the form of an email or a profile dossier," which "will include your
5	introduction's picture, their occupation, where they are from, and so forth." The website
5	further provided that customers could submit payment in several ways. Clients can
7	submit payment via "Electronic transfer," "mail regular check or bank draft," "bank wire
8	transfer," or money order.
ı	

- 19. All of the Executive Dating websites are nearly identical in design, although they have different photographs depending upon their target audience. Moreover, they all contain the same toll-free telephone numbers as contact numbers.
- 20. On its websites, Executive Dating advertises its successes and represents that it adheres to the high standards of an "independent" internet standards organization. For example, the Executive Gay Dating site states that:

Executive Gay Dating has been matchmaking internationally on the internet since 1997. Since 1999, we have proudly adhered to the requirements of the Internet Business Standards Association, a well respected and independent organization setting high standards for internet business. We successfully adhere to their code of conduct and outlined tenants. We subscribe to their service in order to maintain our standards of excellence and customer satisfaction. Their website is linked to our website, via their seal, or you can click on http://www.internetstandards.org.

21. Each of the Executive Dating websites lists a mailing address. These addresses were located in different cities all over North America. Investigation into these addresses showed that each address belonged to a Commercial Mail Receiving Agency (CMRA), such as a UPS Store, Mail Boxes ETC., or other privately owned mail service. Documents obtained from the CMRAs where Executive Dating has a registered address, revealed the mail boxes were registered to BARRIE TURNER. At each of the CMRA locations, TURNER's name is on the paperwork and letters setting up a mail forward which directed the CMRA to forward mail to his P.O. Box in Point Roberts, Washington. In addition, each of the CMRAs has a copy of BARRIE TURNER's British Columbia

Driver's License. Based on the information collected from the CMRA locations where Executive Dating has registered boxes, it is clear that BARRIE TURNER directs that the P.O. Box in Point Roberts, Washington be his ultimate destination for all mail associated with Executive Dating. Based on my experience investigating fraud schemes, and based upon discussions with other law enforcement officers, I have learned that individuals may use CMRA addresses and mail forwards to hide the true locations of a business.

A. Nationwide Complaints Against Executive Dating

- 22. Since October 2005, approximately 100 consumer fraud complaints have been filed against Executive Dating through various government agencies. More specifically, I conducted a search of Consumer Sentinel, a law enforcement database which stores consumer fraud complaints, and obtained approximately 100 complaints associated with Executive Dating. The names and addresses of the complainants were gathered, and each complainant was sent a letter which requested information about their experience with Executive Dating.
- 23. In response to my letter, I began to receive phone calls and emails from approximately 60 individuals who claimed they had been defrauded by Executive Dating. Several of the individuals provided me with email correspondence they had with Executive Dating. All of the individuals stated that Executive Dating did not deliver the services they paid for. As an example, several individuals stated they thought Executive Dating provided them with dating matches which represented fictitious persons.
- 24. Approximately 30 individuals provided me with email correspondence between them and Executive Dating. The emails from Executive Dating to its clients mainly consisted of match profiles, which were supposed to represent real individuals the clients could contact for potential dates. The match profiles were emailed to clients, and contained a dating profile of the person wishing to be contacted for dating. The profile included such information as first name, location including city and state, age, height, education level, occupation, email address, and a written summary which describes the person associated with the profile.

B. Executive Dating Service's Use of Same Email Address and Email Replies for Purportedly Different Individuals

- 25. After reviewing the emails sent to me by the individuals who had signed up for Executive Dating, I discovered that several different clients received match profiles which contained repeat information. For example, the email address "sheraton55@gmail.com" was used on 12 different match profiles, which were sent to clients of Executive Dating. The 12 different match profiles contained different personal information, but all listed the same email address. In addition, emails sent from supposed match profiles contained identical language.
- 26. The following customer/victims received matches with email address "sheraton55@gmail.com" and received identical responses from their matches explaining they were not available because they had just reconnected with a prior match:

1. Victim T.C.

- a. On May 8, 2008, T.C., who resides in California, paid \$947.00 electronically for a six month membership to Executive Lesbian Dating. On May 22, 2008, T.C. received an email from Executive Lesbian Dating, which contained a match profile for a woman named "Kellie." According to the profile sent to T.C. by Executive Dating, Kellie lived in Los Angeles, California, was 36 years old, had a Bachelors degree, and her email address was "sheraton55@gmail.com". The same day T.C. received the profile match for Kellie, T.C. sent Kellie an email to "sheraton55@gmail.com".
- b. On May 23, 2008, a reply was sent to T.C.'s email address from "sheraton55@gmail.com". The email contained the following text:

It was a pleasant surprise to read your e-mail today and I have enjoyed going over your profile. I think we have a lot in common and that we are a good match. Unfortunately, I just reconnected with an introduction that was introduced to me last month. This just happened a few days ago. At the moment, I think I want to give it a second attempt and see how things develop first. I prefer not to date multiple people at the same time. I hope you understand and I will certainly let you know when I am open to meet with you. Thank you for writing. Hope you enjoy the rest of your day. Sincerely Kellie.

2. Victim R.B.

c. On September 23, 2008, R.B., who resides in Hawaii, paid \$947.00 electronically for a six month membership to Executive Hawaii Dating. On October 2, 2008, R.B. received an email from Executive Hawaii Dating which contained a match profile for a woman named "Nikki." According to the profile sent to R.B. by Executive Hawaii Dating, Nikki lived in Honolulu, Hawaii, was 43 years old, had a Bachelors degree, and her email address was "sheraton55@gmail.com." On October 6, 2008, R.B. sent Nikki an email to "sheraton55@gmail.com," in an attempt to contact her for dating.

d. On October 7, 2008, R.B. received a reply email from "sheraton55@gmail.com." The email contained the following text:

It was a pleasant surprise to read your e-mail today and I had enjoyed going over your profile. I think we have a lot in common and that we are a good match. Unfortunately, I just reconnected with an introduction that was introduced to me last month. This just happened a few days ago. At the moment, I think I want to give it a second attempt and see how things develop first. I prefer not to date multiple people at the same time. I hope you understand and I will certainly let you know when I am open to meet with you. Thank you for writing. Hope you enjoy the rest of your day.

3. Victim P.A.

e. On November 11, 2008, P.A., who resides in Michigan, paid \$947.00 electronically for a six month membership to Executive Detroit Dating. On November 27, 2008, P.A. received an email from Executive Detroit Dating, which contained a match profile for a man named "Robert." According to the profile sent to P.A. by Executive Detroit Dating, Robert lived in Detroit, Michigan, was 44 years old, had a masters degree, and his email address was "sheraton55@gmail.com." The same day P.A. received Robert's profile, she sent him an email at the email address provided.

f. On November 28, 2008, P.A. received a reply from "sheraton55@gmail.com." The email contained the following text:

It was a pleasant surprise to read your e-mail today and I had enjoyed going over your profile. I think we have a lot in common and that we are a good match. Unfortunately, I just reconnected with an introduction that was introduced to me last month. This just happened a few days ago. At the moment, I think I want to give it a second attempt and see how things develop first. I prefer not to date multiple people at the same time. I hope you understand and I will certainly let

//

you know when I am open to meet with you. Thank you for writing. Hope you enjoy the rest of your day. Sincerely Robert

4. Victim T.M. (Mail Fraud Count)

g. On or about January 9, 2009, T.M., who resides in Connecticut used the U.S. Mail to send check number 6063, in the amount of \$997.00, for a six month membership to Executive Gay Dating. T.M. stated he mailed the check to 3818 Cedar Springs Rd. 101-104, Dallas, TX 75219. This address is a UPS Store. Documents obtained from the UPS Store show that box 104 is registered under BARRIE TURNER's name, and all the mail is forwarded to P.O. Box 1014, Point Roberts, WA.

h. On February 18, 2009, T.M. received a profile match from Executive Gay Dating for a man named Adam. The profile showed that Adam's email address was "sheraton55@gmail.com." T.M. emailed Adam to inquire about dating. On February 22, 2009, T.M. received a response from Adam via the "sheraton55@gmail.com" email address. The response was identical to the reply message sent to other Executive Dating clients previously mentioned in this affidavit. Specifically, the email from "Adam" stated:

Hi Tim,

It was a pleasant surprise to read your e-mail today and I had enjoyed going over your profile. I think we have a lot in common and that we are a good match. Unfortunately, I just reconnected with an introduction that was introduced to me last month. This just happened a few days ago. At the moment, I think I want to give it a second attempt and see how things develop first. I prefer not to date multiple people at the same time. I hope you understand and I will certainly let you know when I am open to meet with you. Thank you for writing. Hope you enjoy the rest of your day. Sincerely, Adam

C. Executive Dating's Use of Same Photograph for Two Purportedly Different Individuals

27. Upon reviewing profile matches sent to Executive Dating clients, it was also discovered that two profiles, which were supposed to represent two real and different individuals, contained the same picture. On July 31, 2006, O.P. was sent a match profile from Executive Singles Dating, which contained information on a man named "Mike." According to the profile, Mike lived in Oakland, California, was 41 years old, 5 feet 11 inches tall, and worked as an Economist. On November 17, 2008, G.D. was sent a match profile from Executive Singles Dating, which contained information on a man named "Martin." According to the profile, Martin lived in Philadelphia, Pennsylvania, was 57 years old, six feet tall, and worked as a Biologist. The photos of "Mike" and "Martin" are attached hereto as Exhibit A.

D. Barrie Turner's Use of sheraton55@gmail.com

- 28. On July 16, 2009, and October 26, 2009, I received information from Google for sheraton55@gmail.com. I have reviewed that information and it shows that the name associated with the email account is "executivedate cleosent."
- 29. On February 8, 2010, I received emails from Google for sheraton55@gmail.com that had been obtained pursuant to a search warrant. Inspector William Beaty reviewed the emails pursuant to the protocol specified in the search warrant, and provided me a copy of the emails that were responsive to the warrant.
- 30. The emails were sent or received between August 20, 2007 and February 8, 2010, which indicates that the account was active through the date that the warrant was executed.
- 31. Virtually all of the emails that I received either were to or from Executive Dating clients. Most of the emails sent to sheraton55@gmail.com were from individuals seeking possible dates through Executive Dating. The individuals address their emails to the names of different men and women. Most of the emails sent to individuals seeking

possible dates through Executive Dating mirrored the same responses that the victims identified above received.

- 32. I also received from Google a copy of the "Vcard" associated with the sheraton55 Gmail account. The Vcard is created by the user, and is used to store contact information such as emails, phone numbers, and addresses. The Vcard for the sheraton55 Gmail account contained the email address catman@dccnet.com. BARRIE TURNER used this email address to establish a mailing address at the UPS Store located at 3824 Cedar Springs Rd. #104, Dallas, TX 75219. Specifically, TURNER faxed a letter to this store on February 22, 2004, a copy of which I have reviewed. In the letter, TURNER requests that his mail be forwarded to his P.O. Box in Point Roberts, Washington. TURNER listed his email address in the letter as catman@dccnet.com.
- 33. On August 11, 2009, I spoke with Stacey Bruce, Intelligence Officer with the Canadian Border Services Agency. Bruce informed me that her agency database contained a record stating that Canadian Customs stopped BARRIE TURNER in 2007 while he was crossing the border from Point Roberts to Canada. During the stop, TURNER told Canadian Customs officials that he had been in the United States to access his P.O. Box, which was related to his business. TURNER told officials that his email address was catman@dccnet.com.
- 34. During my review of the emails from sheraton55@gmail.com, I located multiple emails that were sent to catman@dccnet.com. In particular, on February 14, 2008, an email was sent from sheraton55@gmail.com to catman@dccnet.com. The subject line of the email read "Standard E-Mail." The body of the email read as follows:

Hello (NAME), It was a pleasant surprise to finally read your e-mail today and I have enjoyed reading your profile. In fact, I showed your profile to a good friend of mine and she said I could have written that very profile. I am really impressed that we have a lot in common and believe that we are a good match. Unfortunately, I have just met someone that I want to spend my time with through the matchmaking service and at the moment I want to see how it develops.

I hope you understand, and I will certainly let you know when I am open to meet with you. Thank you for writing to me.

Hope the rest of your day and week is spectacular!

Cheers, (YOURNAME)

The body of this email is almost identical to the messages sent to numerous Executive Dating victims who received fraudulent dating profiles from a potential "match" using sheraton55@gmail.com as their email account.

E. Barrie Turner Picks Up Mail in Point Roberts, Washington

- 35. On April 27, 2009, I contacted Lisa Jackson, Box Clerk at the Point Roberts, Washington Post Office. Jackson stated that P.O. Box 1014 was registered to BARRIE TURNER, with a physical address of 5491 Rawlins Cresent, Delta, British Columbia, Canada. Jackson also stated that TURNER receives mail at the P.O. Box for a dating service, and that he comes into the Point Roberts Post Office three to four times per week to pick up his mail. I have also obtained a copy of TURNER's British Columbia Driver's License, number DL0911947. The address listed on TURNER's Canadian license is also 5491 Rawlins Cresent, Delta, BC.
- 36. On August 3, 2009, Postal Inspector Amy Kerkof and I witnessed BARRIE TURNER enter the Point Roberts Post Office. I was able to confirm the identity of the individual as TURNER based on my previous review of his British Columbia Driver's License photo. Before TURNER's arrival on August 3, 2009, we had confirmed that there was mail in P.O. Box 1014 on that day. After TURNER left the Post Office, we confirmed that the mail had been taken from P.O. Box 1014.
- 37. On May 18, 2009, I initiated a 30 day mail cover, for all mail addressed to P.O. Box 1014, Point Roberts, Washington 98281. The information obtained from the mail cover indicates that BARRIE TURNER, as well as Executive Dating, receive mail at this location. BARRIE TURNER and Executive Dating receive U.S. Mail from several UPS Stores which TURNER uses for Executive Dating. Mail is also received from Banner Bank, addressed to BARRIE TURNER and Executive Dating. Mail sent to P.O. Box 1014, addressed to Executive Dating has been recorded as recently as November 18,

1	III.
2	<u>CONCLUSION</u>
3	40. Based on the foregoing, I believe there is probable cause to believe that
4	BARRIE TURNER committed Mail Fraud, in violation of Title 18, United States Code
5	Section 1341. More specifically, BARRIE TURNER
6	
7	IPOEN OF TENER Complainment
8	JEREMY LEDER, Complainant United States Postal Inspector
9	
10	Complaint and affidavit sworn to before me and subscribed in my
11	presence, March <u>26</u> , 2010.
12	Based on the Complaint and Affidavit sworn to before me, and subscribed in my
13	presence, the Court hereby finds that there is probable cause to believe the defendant
14	committed the offense set forth in the Complaint.
15	D. 7 &
16	James P. Donker
17	YAMES P. DONOHUE United States Magistrate Judge
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	

EXHIBIT A

Profile #1
Name: Martin

City: Philadelphia, PA

Age: 57 Height: 6'0"

Education: Doctorate **Occupation:** Biologist

Email: sheraton55@gmail.com

Picture:



Profile #2 Name: Mike

City: Oakland, CA

Age: 41 Height: 5'11"

Education: Masters **Occupation:** Economist

Email: sheraton55@walla.com

Picture:

